IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 155 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 20/01/2005 in WP NO : 446 OF 2005 on the file of the High Court.)

Between:

Kodati Ramesh Kumar, S/o Raja Shekhar,
Kothawada, Hanamkonda, Warangal District.

..... APPELLANT

AND

1 The Revenue Divisional Officer, Warangal, Warangal District.
2 Smt. Baswaraj Rajani, W/o Ramesh,
R/o Kothawada, Bank Colony, Warangal Mandal, Warangal District.

.....RESPONDENTS

Counsel for the Appellant : MR.B.SUDHAKAR REDDY & ASSOCIATES

Counsel for the Respondent No.1: GP FOR CIVIL SUPPLIES

Counsel for the respondent No.2: None appeared.

The Court made the following :

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

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1. Appeal is against the order of learned single Judge disposing the writ petition with direction to 1st respondent to take necessary steps to appoint dealer to shop No.111/B on regular basis, as early as possible. Appellant is the writ petitioner.

2. Fair Price Shop No.111, Pochammamaidan of Warangal, was bifurcated into two shops, namely, 111/A and 111/B. The petitioner was the fair price

shop dealer for Fair Price Shop No.111/A. After bifurcation, he continued to be a dealer of Fair Price Shop No.111/A. Therefore, new permanent dealer will have to be appointed by 1st respondent for Shop No.111/B. Petitioner has also challenged the action of the authorities in bifurcating the fair price shop in separate proceedings. This writ petition was filed when respondent No.2 was appointed as temporary dealer, alleging that there is no provision for making appointment of temporary dealer. Learned single Judge held that when there is a power to appoint a permanent dealer, it would also include incidental power of appointing a temporary dealer pending appointment of regular dealer. Thus direction was issued. We see no illegality in the order. However, while dismissing the writ appeal, we direct respondent No.1 to complete the process of appointing the permanent fair price shop dealer within a period of three months from the date of receipt of a copy of this judgment from this Court. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 02.02.2005.

VRK.

To

1 The Revenue Divisional Officer, Warangal, Warangal District.
2. Two CCs to G.P., for Civil Supplies, High Court Buildings, Hyderabad (OUT).

3. Two CD copies.